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14 *Consumer Products, L.L.C.; Toshiba America*

15 *Information Systems, Inc., and*

16 *Toshiba America Electronic Components, Inc.*

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 (SAN FRANCISCO DIVISION)

20 IN RE: CATHODE RAY TUBE (CRT)  
21 ANTITRUST LITIGATION

Case No. 07-5944 SC  
MDL No. 1917

22 This Document Relates to

23 *Electrograph Systems, Inc. et al. v. Hitachi, Ltd.*  
24 *et al.*, No. 11-cv-01656;

25 *Siegel v. Hitachi, Ltd., et al.*,  
26 No. 11-cv-05502;

27 *Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.*,  
28 No. 11-cv-05513;

*Target Corp., et al. v. Chunghwa Picture Tubes,*  
*Ltd., et al.*, No. 11-cv-05514;

**STIPULATION AND  
~~PROPOSED~~ ORDER  
EXTENDING THE DEADLINE  
TO FILE MOTION TO  
COMPEL TOSHIBA TO  
RESPOND TO DIRECT  
ACTION PLAINTIFFS AND  
INDIRECT PURCHASER  
PLAINTIFFS' FIRST SET OF  
REQUESTS FOR ADMISSION**

STIPULATION AND [PROPOSED] ORDER EXTENDING THE DEADLINE  
TO FILE MOTION TO COMPEL TOSHIBA TO RESPOND TO DIRECT ACTION PLAINTIFFS  
AND INDIRECT PURCHASER PLAINTIFFS' FIRST SET OF REQUESTS FOR ADMISSION

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- 1 *Interbond Corporation of America v. Hitachi, et*  
2 *al.*, No. 11-cv-06275;
- 3 *Office Depot, Inc. v. Hitachi, Ltd., et al.*,  
4 No.11-cv-06276;
- 5 *CompuCom Systems, Inc. v. Hitachi, Ltd. et al.*,  
6 No. 11-cv-06396;
- 7 *Costco Wholesale Corporation v. Hitachi, Ltd., et*  
8 *al.*, No. 11-cv-06397;
- 9 *P.C. Richard & Son Long Island Corporation, et*  
10 *al. v. Hitachi, Ltd., et al.*, No. 12-cv-02648;
- 11 *Schultze Agency Services, LLC v. Hitachi, Ltd., et*  
12 *al.*, No. 12-cv-02649;
- 13 *Tech Data Corporation, et al. v. Hitachi, Ltd., et*  
14 *al.*, No. 13-cv-00157;
- 15 *Sharp Electronics Corp., et al. v. Hitachi, Ltd., et*  
16 *al.*, No. 13-cv-01173;
- 17 *Sharp Electronics Corp. et al. v. Koninklijke*  
18 *Philips Electronics, N.V., et al.*,  
19 No. 13-cv-02776;
- 20 *Siegel v. Technicolor SA, et al.*,  
21 No. 13-cv-05261;
- 22 *Sears, Roebuck and Co., et al. v. Technicolor SA,*  
23 *No. 13-cv-05262;*
- 24 *Best Buy Co., Inc., et al. v. Technicolor SA, et al.*,  
25 No. 13-cv-05264;
- 26 *Schultze Agency Services, LLC v. Technicolor SA,*  
27 *et al.*, No. 13-cv-05668;
- 28 *Target Corp., v. Technicolor SA, et al.*,  
No. 13-cv-05686;

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1 *Costco Wholesale Corporation v. Technicolor*  
2 *SA,, et al., No. 13-cv-005723;*

3 *Electrograph Systems, Inc., et al. v. Technicolor*  
4 *SA, et al.,*  
5 *No. 13-cv-05724;*

6 *P.C. Richard & Son Long Island Corporation, et*  
7 *al. v. Technicolor SA, et al.,*  
8 *No. 13-cv-05725;*

9 *Office Depot, Inc. v. Technicolor SA, et al.,*  
10 *No. 13-cv-05726;*

11 *Interbond Corporation of America v. Technicolor*  
12 *SA, et al.,*  
13 *No. 13-cv-05727;*

14 *ViewSonic Corporation, v. Chunghwa Picture*  
15 *Tubes, Ltd., et al.,*  
16 *No. 3:14cv-02510;*

17 *The Indirect Purchaser Action.*

18 This Stipulation and Proposed Order Extending the Deadline to File Motion to Compel  
19 Toshiba to Respond to Direct Action Plaintiffs and Indirect Purchaser Plaintiffs' First Set of  
20 Requests for Admission between the Direct Action Plaintiffs in the cases listed above and  
21 Indirect Purchaser Class (collectively "Plaintiffs"), on the one hand, and defendants Toshiba  
22 Corporation; Toshiba America, Inc.; Toshiba America Consumer Products, L.L.C.; Toshiba  
23 America Electronic Components, Inc.; Toshiba America Information Systems, Inc.  
24 (collectively, the "Toshiba Defendants"), on the other hand, is made with respect to the  
25 following facts and recitals:  
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1 WHEREAS, on March 21, 2014, the Court entered a scheduling order setting the close  
2 of fact discovery for September 5, 2014. *See* Dkt. No. 2459;

3 WHEREAS, the deadline to file any motion to compel after the discovery cut-off was  
4 September 12, 2014 (L.R. 37-3);

5 WHEREAS, on August 1, 2014, the Plaintiffs served their First Set of Requests for  
6 Admission on the Toshiba Defendants;

7 WHEREAS, on September 5, 2014, Toshiba served its Responses to Plaintiffs' First  
8 Set of Requests for Admission and stated objections on various grounds;

9 WHEREAS, counsel for the undersigned parties have held multiple telephonic meet  
10 and confers to discuss purported deficiencies in the Toshiba Defendants' responses identified  
11 by Plaintiffs and have a bona fide intent to continue doing so;

12 WHEREAS, the Plaintiffs and the Toshiba Defendants have conferred by and through  
13 their counsel and, subject to the Court's approval, HEREBY STIPULATE AS FOLLOWS:

- 14 1. The Plaintiffs will provide the Toshiba Defendants with a list of 94 documents  
15 produced by the Toshiba Defendants in this litigation by October 10, 2014.
- 16 2. The Toshiba Defendants will provide the Plaintiffs with a list of 94 documents  
17 produced by the Plaintiffs in this litigation by October 10, 2014.
- 18 3. The Toshiba Defendants will review the list provided by Plaintiffs and inform  
19 the Plaintiffs by October 17, 2014 whether they will stipulate that any such  
20 documents are authentic and, separately, that any such documents are business  
21 records within the meaning of Rule 803(6) of the Federal Rules of Evidence.
- 22 4. Plaintiffs will review the list of documents provided by the Toshiba Defendants  
23 and inform the Toshiba Defendants by October 17, 2014 whether they will  
24 stipulate that any such documents are authentic and, separately, that any such  
25 documents are business records within the meaning of Rule 803(6) of the  
26 Federal Rules of Evidence.
- 27 5. The undersigned parties agree to extend the deadline for the Plaintiffs to file a  
28 motion to compel relating to the Plaintiffs' First Set of Requests for

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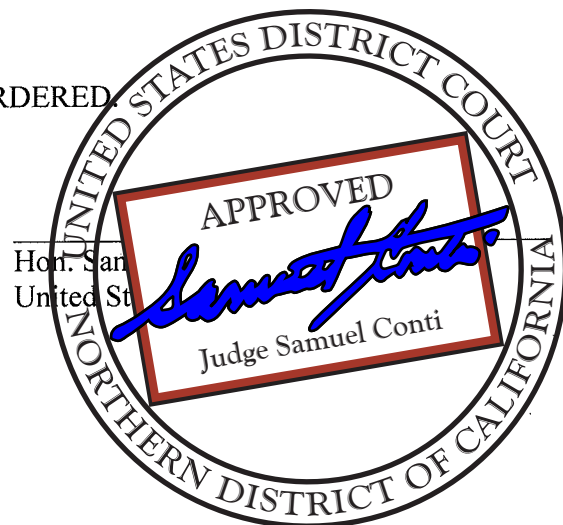
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Admission, to the extent one is deemed necessary by Plaintiffs, to October 24, 2014. The Toshiba Defendants reserve all of their rights in responding to any such motion, including withdrawing any agreement or response they have made with respect to the list of 94 documents provided by the Plaintiffs.

6. No response by the Toshiba Defendants to the Plaintiffs' list of 94 documents shall be deemed a response to any of the requests in the Plaintiffs' First Set of Requests for Admission.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: October 22, 2014



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1  
2 Dated: October 10, 2014  
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Respectfully submitted,

**WHITE & CASE LLP**

4 By: /s/ Lucius B. Lau  
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Components, Inc.; Toshiba America  
Information Systems, Inc.*

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17 **PRESCOTT**  
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27 *Lead Counsel for the Indirect*  
28 *Purchaser Plaintiffs*

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1                   **ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)**

2           I, Lucius B. Lau, attest that concurrence in the filing of this document has been  
3 obtained from all signatories. I declare under penalty of perjury under the laws of the  
4 United States of America that the foregoing is true and correct. Executed this 10th day of  
5 October, 2014, at Washington, DC.

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8                                   By: /s/ Lucius B. Lau  
9   Lucius B. Lau  
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**CERTIFICATE OF SERVICE**

On October 10, 2014, I caused a copy of the "STIPULATION AND [PROPOSED] ORDER EXTENDING THE DEADLINE TO FILE MOTION TO COMPEL TOSHIBA TO RESPOND TO DIRECT ACTION PLAINTIFFS AND INDIRECT PURCHASER PLAINTIFFS' FIRST SET OF REQUESTS FOR ADMISSION" to be electronically filed via the Court's Electronic Case Filing System, which constitutes service in this action pursuant to the Court's order of September 29, 2008.

By: /s/ Lucius B. Lau  
Lucius B. Lau (*pro hac vice*)

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